

## MINUTES

### DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

May 11, 2010

Conference Room 520, 1 Mendota Road, West St. Paul, Minnesota

#### 1. CALL TO ORDER AND ROLL CALL

Commissioner Paul Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 9:00 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1  
Commissioner Kathleen Gaylord, District 2  
Commissioner Thomas Egan, District 3  
Commissioner Nancy Schouweiler, District 4  
Commissioner Liz Workman, District 5  
Commissioner Paul J. Krause, District 6  
Commissioner Willis E. Branning, District 7

Also in attendance were:

Brandt Richardson, County Administrator  
Lynn Thompson, Division Director  
Jay Stassen, Assistant County Attorney  
Jeanne Nash Hoffmann, Administrative Coordinator

#### 2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce.

#### 3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

#### 4. APPROVAL OF THE AGENDA

**Motion by Commissioner Harris, Second by Commissioner Gaylord**, and passed on a 7-0 vote to approve the agenda for May 11, 2010, with the deletion of Item 6.4 – Authorization To Execute Amended Agreement with Center Point For Relocation Of Utilities On CP 70-06, and Item 6.5 – Authorization To Convey Excess Right Of Way Parcel 3(301) on CP 70-06 In Lakeville.

#### 5. CONSENT/INFORMATION AGENDA

**Motion by Commissioner Gaylord, Second by Commissioner Workman**, and passed on a 7-0 vote to approve the consent agenda.

##### 5.1 – Minutes Of The April 13, 2010 Meeting

##### 5.2 – Authorization To Execute Water Supply Wells Delegation Agreement With Minnesota Department Of Health

WHEREAS, the Minnesota Department of Health (MDH) is charged with protecting public health and groundwater under Minn. Stat. Chs. 103I and 144 and has the duty to regulate and inspect the construction, repair, and sealing of water-supply wells; and

WHEREAS, under Minn. Stat. § 103I.111, the MDH has the authority to delegate all or part of these duties to a local board of health through a written delegation agreement; and

WHEREAS, the Dakota County Board of Commissioners acts as the County Board of Health pursuant to Minn. Stat. § 145A.01, subd. 1(a) (Resolution No. 87-4); and

WHEREAS, since 1989, the MDH has delegated the aforementioned duties to Dakota County through a delegation agreement; and

WHEREAS, the delegation agreement was last updated in 1992, and the MDH is requesting that Dakota County execute an updated version; and

WHEREAS, Dakota County desires to continue to exercise the authorities delegated to it by the MDH to regulate water-supply wells to protect public health and safety, the environment and groundwater resources.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute the water-supply wells delegation agreement with the Minnesota Department of Health, as presented to the Physical Development Committee of the Whole at its meeting on May 11, 2010, subject to approval by the County Attorney's Office as to form.

**5.3 – Authorization To Execute Contract With Dakota Electric And Agreement 96754 With Minnesota Department Of Transportation, And Authorization For Dakota County To Pay Maintenance And Utility Costs For County Project 97-89**

WHEREAS, to provide a safe and efficient transportation system, transportation staff reviews rural County roadway segments and identifies best measures to improve safety; and

WHEREAS, rural intersection street lights are low-cost safety measures that can reduce both day and night crashes by improving awareness of drivers approaching an intersection; and

WHEREAS, Transportation staff assessed all 56 unlit county-road-to-county-road intersections (paved or unpaved County State Aid Highway or County Road) within townships based on safety and volume criteria; and

WHEREAS, County Project (CP) 97-89 is the installation of lighting at 17 identified rural county road intersections; and

WHEREAS, County staff determined the most cost feasible method for constructing CP 97-89 was through a contract with Dakota Electric (sole source for this project method); and

WHEREAS, the total estimated cost of CP 97-89 is \$91,000 with a federal contribution of \$81,000 for the project cost through the central safety fund program;

WHEREAS, since the adopted 2025 Transportation Plan provides for up to fifty percent County cost share for intersection street lights when addressing a safety issue and does not allow for County participation in maintenance or operation costs, nor does the Transportation Plan obligate the townships to cost participate in County projects, a variation from current policy is necessary to proceed with CP 97-89 and the future operating and maintenance costs associated with the project; and

WHEREAS, the County would contribute \$10,000 of the project cost from the Safety and Management fund to CP 97-89; and

WHEREAS; sufficient funds are available and will be administratively transferred; and

WHEREAS, the County will pay energy and maintenance costs from the current Traffic Operations Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Dakota Electric for CP 97-89, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute agreement 96754 with the State of Minnesota, Department of Transportation for

federal participation in Force Account for SP 19-070-02; M.P.CSF 08(054), rural intersection lighting for the Commissioner of Transportation to be appointed as Agent of the County to accept federal aid funds, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Transportation Director/County Engineer to pay annual maintenance and energy costs for CP 97-89 through the Traffic Operations Budget.

**5.4 – Authorization To Revoke County Road Status And Designate County State Aid Highway Status For Segment Of County State Aid Highway 28 (80 Street East) In City of Inver Grove Heights**

WHEREAS, designation of County State Aid Highway 28 (80<sup>th</sup> Street East) provides an east-west connection and completes Dakota County's 1998 mileage request to the Minnesota Department of Transportation (Mn/DOT) Screening Board; and

WHEREAS, the roadway serves local and regional traffic; and

WHEREAS, for this segment of roadway, the Dakota County Engineer recommends revoking CR status and designating the roadway as County State Aid Highway (CSAH) 28; and

WHEREAS, Mn/DOT rules require County Board actions to occur on all revocations and designations; and

WHEREAS, Mn/DOT rules require City Council action of concurrence for designation following County Board action; and

WHEREAS, City of Inver Grove Heights staff has indicated the City's intent to revoke Municipal State Aid (MSA) status and to pass a resolution of concurrence with the County's proposed CSAH designation; and

WHEREAS, designation of CSAH mileage to new or existing segments of County Roads will enhance Dakota County's CSAH system continuity; and

WHEREAS, the County Engineer recommends designation of CSAH status for CR 28.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates County State Aid Highway status, subject to the approval of the Commissioner of Transportation of the State of Minnesota, for segments of CSAH 28 as follows:

County State Aid Highway 28 beginning in Sections 8 & 17, Township 27 North, Range 22 West, at the westerly junction of CSAH 73 (Babcock Trail); thence easterly along 80<sup>th</sup> Street East through said sections 9, 10, 11, 14, 15, 16, Township 27 North, Range 22 West, in Inver Grove Heights to the westerly junction of County State Aid Highway (CSAH) 56 (Concord Boulevard), and there terminating; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Transportation Director/County Engineer to forward two certified copies of this resolution and the supporting resolution from the City of Inver Grove Heights to the Minnesota Commissioner of Transportation for approval.

**5.5 – Authorization To Execute Agreement With City Of Inver Grove heights For Revocation Of County State Aid Status For Segment Of County State Aid Highway 32**

WHEREAS, to provide safe and efficient transportation system, a County State Aid Highway (CSAH) may be designated for higher traffic highways serving more than local traffic needs; and

WHEREAS, with the construction of the 117<sup>th</sup> Street interchange, the function of the easterly portion of CSAH 32 along the 105<sup>th</sup> Street roadway has changed and no longer meets the above criteria; and

WHEREAS, Minnesota Department of Transportation (Mn/DOT) rules require County Board actions to occur on all revocations; and

WHEREAS, the City of Inver Grove Heights intends to pass a resolution of concurrence with the County's proposed CSAH revocation; and

WHEREAS, City of Inver Grove Heights staff has indicated the City's interest to designate this turnback as an Municipal State Aid (MSA) roadway to fill a gap in their existing MSA system; and

WHEREAS, designation of the revoked CSAH mileage to new or existing segments of County Roads will enhance Dakota County's CSAH system continuity; and

WHEREAS, the County Engineer recommends revocation of CSAH 32 status for CSAH 32 (105<sup>th</sup> Street).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby revokes County State Aid Highway status, subject to the approval of the Commissioner of Transportation of the State of Minnesota for segments of CSAH 32 as follows:

That portion of County State Aid Highway No. 32 located in Sections 29, 28 and 27, Township 27 North, Range 22 West, Dakota County, Minnesota, lying easterly, northeasterly and easterly of the following described line: Beginning at the easterly junction of C.S.A.H. 32 and Rich Valley Boulevard in said Section 29; thence easterly, northeasterly and easterly through said Sections 29, 28 and 27 to the westerly junction of U.S. Highway No. 52/Trunk Highway No. 56 in Inver Grove Heights, Minnesota and said line there terminating; EXCEPT that portion of C.S.A.H. 32 as revoked in Commissioners Order No. 88280; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Transportation Director/County Engineer to forward two certified copies of this resolution and the supporting resolution from the City of Inver Grove Heights to the Minnesota Commissioner of Transportation for approval; and

BE IT FURTHER RESOLVED, That the County Board Chair and the Clerk to the County Board are hereby authorized to execute a Quit Claim Deed with the City of Inver Grove Heights, in a form approved by the County Attorney's Office, releasing the County's interest in the right of way for the above described segment of road in Inver Grove Heights.

**5.6 –Plat Commission Update** – This was an information item; no action was requested.

<b>6. REGULAR AGENDA</b>
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Items were taken out of sequence. Item 6.2 was addressed; 6.3 was addressed, then #6.1 was addressed.

**6.1 – Update On TransitLink Services In Dakota County**

Division Director Lynn Thompson introduced this item and explained that TransitLink had only been in service for one week. County staff will be meeting with staff from Metro Transit, Minnesota Valley Transit Authority, Metropolitan Council and DARTS to determine service gaps. She turned the item over to Mark Hoisser from DARTS and John Harper from Metropolitan Council. They each presented information and responded to questions including how to qualify for American with Disabilities Act eligibility.

This was an information item; no action was requested.

**6.2 – Authorization To Accept Brownfields Grants From U.S. Environmental Protection Agency**

Water Resources Director David Swenson and Water Resource Specialist Cathy Udem presented this item and responded to questions. They informed the Committee that MPCA committed \$200,000 to investigating site cleanup at Gun Club dump. This was over the amount authorized to be accepted from the U. S. EPA in this action item.

**Motion by Commissioner Gaylord, Second by Commissioner Schouweiler** and passed on a 7-0 vote to recommend that the County Board adopt the following resolution.

WHEREAS, the economic redevelopment of "Brownfields" supports the Dakota County Board of Commissioners goals for quality physical environment, economic vitality, and healthy citizens; and

WHEREAS, by Resolution No. 09-353 (July 21, 2009), the Dakota County Board of Commissioners authorized the submission of two grant applications to the Environmental Protection Agency (EPA) for Brownfields Assessments; and

WHEREAS, Dakota County has been awarded two EPA Brownfields Assessment Grants, one for assessing petroleum contamination and the other for assessing hazardous substance contamination; and

WHEREAS, these grants provide funding to inventory, characterize, assess, prioritize, and engage in community involvement for restoration of brownfields sites; and

WHEREAS, the County is capable of implementing these grants and has experience and expertise in brownfields assessment and cleanup; and

WHEREAS, Dakota County will involve cities and townships in identifying sites with the potential for beneficial re-use and redevelopment; and

WHEREAS, authorization is requested to accept these two grants for a total of up to \$400,000, with no matching funds required; and

WHEREAS, an amendment to the Water Resources Department budget is requested to allow grant activity to take place.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts two grants, in the amount of \$200,000 each, totaling \$400,000, awarded to Dakota County by the US EPA for Brownfields Assessments; and

BE IT FURTHER RESOLVED, That the Dakota county Board of Commissioners hereby authorizes the Physical Development Director to execute all necessary grant related agreements and documents to accept the grant awards, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the Water Resources Department budget, as follows:

<b>Revenue:</b>	
U.S. EPA	\$400,000
<b>Expense:</b>	
Brownfields Assessment #1	\$200,000
Brownfields Assessment #2	\$200,000

### **6.3 – Review of Discount Promotions For Fee-Based Parks Activities**

Parks Marketing and Fiscal Development Manager, Kim Haars, briefed this item. She explained the evaluation criteria that was used including unutilized capacity of a facility, ability to market discounts to targeted audiences, ability to implement with existing staff and resources and potential to increase use and revenues. The discounts will specifically be aimed at weekday use at campgrounds, the period before Memorial Day and after Labor Day, weekday rentals at indoor facilities, and non-peak rentals for weddings. The program will be evaluated for effectiveness and adjustments will be made along the way. Results will be factored into the 2011 fee process. Kim responded to questions.

This was an information item; no action was requested.

<b>LEGISLATIVE UPDATE</b>
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OMB Legislative Analyst Margaret Schreiner provided a legislative update. This was information only; no action was requested.

<b>DIRECTOR'S REPORT</b>
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Physical Development Division Director Lynn Thompson presented her update. Discussion was held on conducting a joint meeting between the Dakota County Board of Commissioners and the Minnesota Valley Transit Authority Board. Direction was given to schedule a joint meeting for June 15, 2010, at 3:30 p.m. at the Burnsville Bus Garage. An RBA will be presented to the May 18, 2010, County Board meeting scheduling this meeting.

<b>ADJOURNMENT</b>
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**Motion by Commissioner Harris, Second by Commissioner Schouweiler,** and passed on a 7-0 vote to adjourn the meeting at 10:25 a.m.

Respectfully submitted:

Jeanne Nash Hoffmann  
Administrative Coordinator